97TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } { No. 97-847

PROVIDING FOR THE ESTABLISHMENT OF A SELECT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES

SEPTEMBER 21, 1982.—Referred to the House Calendar and ordered to be printed

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Mrs. CHISHOLM, from the Committee on Rules, submitted the following

REPORT

[To accompany H. Res. 421]

The Committee on Rules, having had under consideration House Resolution 421, reports the same to the House with the recommendation that the resolution do pass, with the following amendment in the nature of a substitute:

Strike out all after the word "Resolved," and insert in lieu thereof the following:

That there is hereby established in the House of Representatives a select committee to be known as the Select Committee on Children, Youth, and Families (hereinafter referred to as the "selected committee").

FUNCTIONS

SEC. 2. (a) The select committee shall not have legislative jurisdiction. The select committee shall have authority—

(1) to conduct a continuing comprehensive study and review of the problems of children, youth, and families, including but not limited to income maintenance, health (including medical and child development research), nutrition, education, welfare, employment, and recreation;

(2) to study the use of all practicable means and methods of encouraging the development of public and private programs and policies which will assist American children and youth in taking a full part in national life and becoming productive citizens; and

(3) to develop policies that would encourage the coordination of both governamental and private programs designed to address the problems of childhood and adolescence.

(b) Nothing contained in this resolution shall be construed to limit or alter the legislative and oversight jurisdiction of any standing committee of the House under Rule X of the Rules of the House of Representatives.

APPOINTMENT AND MEMBERSHIP

SEC. 3. (a) The select committee shall be composed of no more than thirty Members of the House, who shall be appointed by the Speaker, and one of whom he shall designate as chairman.

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(b) For purposes of this section, the term "Members" shall include any representative in, or Delegate or Resident Commissioner to, the House of Representatives.

AUTHORITY AND PROCEDURES

SEC. 4. (a) For the purpose of carrying out its responsibilities under this resolution the select committee is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere, whether the House is in session, has recessed or has adjourned and to hold such hearings as it deems necessary.

(b) The provisions of clauses 1, 2, and 3 of rule X of the Rules of the House of Representatives shall apply to the select committee.

(c) Nothing contained in subsection (a) of this section shall be construed to limit the applicability of clause 2(i) of the rule XI of the Rules of the House of Representatives to the select committee.

ADMINISTRATIVE PROVISIONS

SEC. 5. (a) Subject to the adoption of expense resolutions as required by clause 5 of rule XI of the Rules of the House of Representatives, the select committee may incur expenses in connection with its duties under this resolution.

(b) In carrying out its functions under this resolution, the select committee is authorized—

(1) to appoint, either on a permanent basis or as experts or consultants, such staff as the select committee considers necessary;

(2) to utilize the services of the staffs of those committees of the House from which Members have been selected for membership on the select committee;

(3) to prescribe the duties and responsibilities of such staff;

(4) to fix the compensation of such staff at a single per annum gross rate which does not exceed the highest rate of basic pay, as in effect from time to time, of level V of the Executive Schedule in section 5316 of title 5, United States Code;

(5) to terminate the employment of any such staff as the select committee considers appropriate; and

(6) to reimburse members of the select committee and of its staff for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties and responsibilities for the select committee, other than expenses in connection with any meeting of the select committee held in the District of Columbia.

REPORTS AND RECORDS

SEC. 6. (a) The select committee shall report to the House as soon as practicable during the present Congress, the results of its investigation and study, together with such recommendations as it deems advisable.

(b) Any such report which is made when the House is not in session shall be filed with the Clerk of the House.

(c) Any such report shall be referred to the committee or committees having jurisdiction over the subject matter thereof.

(d) The records, files, and materials of the select committee shall be transferred to the Clerk of the House.

Amend the title to read as follows:

Providing for the establishment of a Select Committee on Children, Youth, and Families.

BACKGROUND AND LEGISLATIVE HISTORY

House Resolution 421 authorizes the establishment of a temporary Select Committee on Children, Youth and Families which would have no legislative jurisdiction. The resolution was introduced on March 31, 1982 by Representative George Miller of California and there are currently 223 cosponsors.

There are approximately sixty-four million children in the United States, and the number of children under age ten may increase by 20 per centum in the next decade. The decisions of the Federal Government involving education, recreation, employment, health and nutrition, law enforcement, or economic policy have a substantial effect upon the well-being of American children and their families. During this current atmosphere of fiscal restraint and cutbacks in federal social programs, problems facing children, youth and their families have become more serious with the ailing economy. Children and their families are the primary beneficiaries of many of the social programs which have been drastically reduced or eliminated. Children comprise over 50 percent of those who benefit from the food stamp program, almost half of those eligible for medicaid and over 70 percent of those who receive Aid to Families with Dependent Children. Yet there is no single agency or congressional committee which focuses on the diverse and complex issues affecting this vulnerable group of our society.

Jurisdiction over issues relating to children, youth and families is shared by at least thirteen of the twenty two House standing committees and numerous subcommittees. The following compilation highlights issues affecting this population which are considered by the various committees:

Agriculture—food stamps, nutrition, consumer programs.

Armed Services—medical care and human relations for military personnel and their families, Selective Service.

Banking, Finance and Urban Affairs—housing, regulation of the housing industry (including landlord-tenant relations); community development and planning.

District of Columbia—all matters pertaining to children, youth and families residing in the District of Columbia.

Education and Labor—elementary, secondary and vocational education, child nutrition; youth employment and training; child labor; equal employment opportunities; youth camp safety; juvenile justice, runaway youth; early childhood services; education of the handicapped; child abuse; child adoption; alcohol and drug abuse education; volunteer programs.

Energy and Commerce—maternal and child health; consumer product safety; mental health; alcohol and drug abuse treatment; mental retardation; environmental health.

Foreign Affairs—international education; children of overseas foreign service officers and military; refugee children.

Interior and Insular Affairs—national parks and outdoor recreation; all matters pertaining to Indian children; all matters pertaining to children residing in American territories.

Judiciary—immigration, refugees, juvenile courts, civil rights, crime.

Post Office and Civil Service—health benefits for Federal employees; alternative work schedules; census.

Public Works and Transportation—surface transportation; urban and mass transportation.

Science and Technology—environmental health, safety; biomedical and pharmaceutitcal activities of Executive departments and agencies; science education; R&D involving governmental health, biomedical, nutritional and handicapped programs.

Ways and Means—disability insurance; health care and delivery systems, including Medicaid; public assistance, including welfare reform, supplemental security income, aid to families with dependent children, social services, child support, foster care, eligibility of welfare recipients for food stamps; unemployment compensation; tax credits for child care and jobs for targeted youth; tax exemptions for charitable organizations.

The Committee on Appropriations, Budget and Government Operations have jurisdictions which are generally applicable to the issues and programs affecting children, youth and families.

Under the current committee system the House lacks the capacity to conduct comprehensive oversight affecting our Nation's children. youth and families. One of the primary reasons for establishment of the select committee is to coordinate efforts to address these issues. Congress needs a tool to aid its careful review of current programs and policies affecting children, and to coordinate the development of the necessary strategies for assuring that children have the opportunities to become productive citizens. In these efforts, Congress also needs to draw upon the diverse experiences of both voluntary and private agencies which have been providing services to children and families for many years.

Nearly 150 national and state organizations have endorsed this proposal. The endorsing groups represent professionals and constituencies involved in law enforcement, health, medicine, education, child welfare, family planning, civil rights, disabled Americans, parent and child advocacy, religious groups, nutrition and state and local government. The following is a partial compilation of the organizations which have endorsed this proposal to create a select committee on children, youth and families:

LIST OF SUPPORTERS FOR H. RES. 421, PROPOSAL TO CREATE SELECT COMMITTEE ON CHILDREN, YOUTH AND FAMILIES

1. Advocates for Children of New York.
2. American Academy of Child Psychiatry.
3. American Academy of Pediatrics.
4. American Association for Marriage and Family Therapy.
5. American Association of Psychiatric Services for Children.
6. American Association of School Administrators.
7. American Bar Association.
8. American Camping Association.
9. American Citizens Concerned for Life, Inc.
10. American Coalition of Citizens with Disabilities.
11. American Council of the Blind.
12. American Education Research Association.
13. American Federation of State, County and Municipal Employees.
14. American Federation of Teachers.
15. American Foundation for the Blind.
16. American Home Economics Association.
17. American Humane Association.
18. American Orthopsychiatric Association.
19. American Psychiatric Association.

20. American Psychological Association.
21. American Public Health Association.
22. American School Food Service Association.
23. American Society for Training and Development.
24. American Vocational Association.
25. Association for the Advancement of Psychology.
26. Association for Children of New Jersey.
27. Association of Junior Leagues, Inc.
28. Association of Retarded Citizens.
29. Bay Area Child Care Law Project.
30. Boys Clubs of America.
31. Bread for the World.
32. California Association of Children's Hospitals.
33. The California Children's Lobby.
34. Camp Fire Incorporated.
35. Candlelighters Foundation.
36. Center for Public Advocacy Research.
37. Children's Defense Fund.
38. Children's Foundation.
39. Children's Hospital National Medical Center, Child Protection Unit.
40. Children's Rights, Inc.
41. Child Welfare League of America.
42. Citizens' Committee for Children of New York, Inc.
43. Colorado Child Care Coalition.
44. Contra Costa (California) Children's Council.
45. Convention II Inc.
46. Corporate Child Development Fund for Texas.
47. Council for Exceptional Children.
48. Council of Great City Schools.
49. Council of Jewish Federations.
50. Covenant House.
51. Day Care Council of America.
52. D.C. Action for Foster Children.
53. Down's Syndrome Congress.
54. The Episcopal Church, Committee on Families.
55. The Episcopal Church, Office of Social Ministries.
56. Family Impact Seminar.
57. Family Resource Coalition.
58. Family Service Association of America.
59. Food Research and Action Center.
60. Friends Committee on National Legislation.
61. Gerber Products Company.
62. Girls Clubs of America.
63. Governor's Advisory Committee on Child Development Programs (California).
64. High/Scope Educational Research Foundation.
65. Industrial Union Department, AFL–CIO.
66. Interreligious Task Force on U.S. Food Policy.
67. Jewish Child Care Association of New York.
68. Juvenile Justice Center of Pennsylvania.
69. Lutheran Council in the USA, Office of Governmental Affairs.
70. March of Dimes.

71. Maryland Committee for Children, Inc.
72. Maryland Office for Children and Youth.
73. Mental Health Law Project.
74. Michigan Association for the Education of Young Children.
75. Michigan Association of Children's Agencies.
76. Michigan Federation of Private Child and Family Agencies.
77. NAACP Legal Defense and Educational Fund, Inc.
78. National Association for Child Care Management.
79. National Association for the Deaf.
80. National Association for the Education of Young Children.
81. National Association of Homes for Children.
82. National Association of Secondary School Principals.
83. National Association of Social Workers, Inc.
84. National Association of State Boards of Education.
85. National Association of State Mental Health Program Directors.
86. National Black Child Development Institute.
87. National Black Nurses Association.
88. National Center for Clinical Infant Programs.
89. National Center for Youth Law.
90. National Coalition of Advocates for Students.
91. National Coalition of ESEA Title I Parents.
92. National Coalition of Hispanic Mental Health and Human Services Organizations (COSSMHO).
93. National Committee for Adoption.
94. National Committee for Citizens in Education.
95. National Committee for Prevention of Child Abuse.
96. National Conference of Catholic Charities.
97. National Congress of Parents and Teachers.
98. National Consortium on Alternatives to Incarceration.
99. National Council of Catholic Women.
100. National Council of Churches, Child Advocacy Working Group.
101. National Council of Community Mental Health Centers, Inc.
102. National Council of Jewish Women.
103. National Council of Juvenile and Family Court Judges.
104. National Council of Negro Women.
105. National Council on Crime and Delinquency.
106. National Council on Family Relations.
107. National Easter Seal Society.
108. National Education Association.
109. National Exchange Club Foundation.
110. National Football League Players Association.
111. National Head Start Association.
112. National Mental Health Association.
113. National Milk Producers Federation.
114. National Network of Runaway Youth.
115. National Organizations Advisory Council for Children.
116. National PTA.
117. National Society for Children and Adults with Autism.
118. National Youth Work Alliance.
119. North American Council on Adoptable Children.

120. North Carolina Association for the Education of Young Children.
121. Ohio Association of Child Caring Agencies.
122. Orphan Foundation.
123. Parents Anonymous.
124. Parents United.
125. People for the American Way.
126. Philadelphia Child Guidance Clinic.
127. Reading is Fundamental, Inc.
128. The Salvation Army.
129. Save the Children.
130. SCAN America, Inc.
131. Society for Research in Child Development.
132. Southeastern Public Education Program.
133. Southern Association of Children Under Six.
134. Tennessee Children's Service Commission.
135. Today's Unified Nutrition Advocates.
136. Union of American Hebrew Congregations.
137. United Auto Workers.
138. United Church of Christ Commission for Racial Justice.
139. The United Presbyterian Church in the USA.
140. U.S. Catholic Conference.
141. U.S. Committee for UNICEF.
142. United States Conference of Mayors.
143. WAIF, Inc.
144. Wisconsin Council on Developmental Disabilities.

The Committee on Rules has also received letters of support for this proposal from representatives of many local organizations and, various concerned citizens including: Catholic Diocese of Pittsburgh; Junior League of Kansas City, Missouri, Inc.; Family-Life—Parish Services, Diocese of Kansas City-St. Joseph, Mo.; American Association of University Women.

These groups have overcome many of their divergent views to emphasize the need for a forum where they can air the range of concerns and opinions about policies affecting this constituency which represents one third of our population. There has been substantial improvement in the status of children in the last twenty years. Nevertheless, more than ten million of our children have no regular source of health care; for every one hundred high school graduates, some 25 drop out of school; the unemployment rate for high school dropouts is at least fifty percent greater than for high school graduates. More than 500,000 children live in foster homes, group homes, or institutions without a permanent home or family. The American Humane Association has reported that the number of child maltreatment cases reported has soared from 413,000 in 1976 to nearly 789,000 in 1980. Fewer resources have been allocated to the programs affecting our young people, and the select committee would have the responsibility of conducting a comprehensive review of these problems.

House Resolution 421 directs the select committee to study the use of all practicable means and methods of encouraging the developing of public and private organizations and policies which will assist American children and youth in taking a full part in national life and becoming productive citizens. The select committee is authorized to

develop policies that would encourage the coordination of both governmental and private programs designed to address the problems of childhood and adolescence.

SUMMARY AND PROVISIONS

The Committee on Rules reported House Resolution 421 with an amendment in the nature of a substitute. The basic reason for the substitute being offered was to conform the language of House Resolution 421 to the model resolution appearing in "Guidelines for the Establishment of Select Committees," a subcommittee print approved by the Committee on Rules and printed on October 31, 1977.

House Resolution 421, as introduced, provides for an amendment to clause 6 of Rule X of the Rules of the House of Representatives to create a Select Committee on Children, Youth and Families which would have no legislative jurisdiction. The Committee amendment deletes the language amending the rules of the House, because it is not necessary to amend the rules to create a temporary select committee. The resolution, as introduced, proposes that the select committee exist until the end of the ninety-ninth Congress, however, all select committees expire with their final report or at the end of each Congress. In order that the select committee may continue its work during the next Congress, a resolution reconstituting the select committee must be passed by the 98th Congress. It is anticipated that the select committee could conclude its work in two Congresses.

House Resolution 421, as introduced, provides that the select committee shall be composed of no more than thirty-six members. The Committee amendment reduces the number to no more than thirty, to be appointed by the Speaker and one of whom the Speaker shall designate as chairman.

To assure that the select committee of the House will operate under the same provisions as apply to all standing committees under clauses 1, 2, and 3 of Rule XI of the Rules of the House of Representatives, these clauses were made applicable to the select committee by the Committee amendment. Clauses 1, 2, and 3 of House Rule XI relate to procedures for committees, adoption of written rules, committee meetings, committee records, quorum requirements, travel limitations and broadcasting of committee hearings. By making these clauses applicable to the select committee it is not necessary to delineate quorum requirements and subpoena power which would be granted under clause 2(m) of Rule XI. The select committee would not be exempt from the prohibition against sitting when the House is considering legislation for amendment under the five minute rule. The committee amendment contains language which allows the select committee to sit and act in the United States and its territories, to hold hearings as it deems necessary, whether the House is in session, has recessed, or has adjourned.

The select committee may incur expenses in connection with its duties, subject to the adoption of expense resolutions as required by clause 5 of Rule XI of the Rules of the House of Representatives. No funds for the activities of the select committee would be available except by House approval of a funding resolution reported by the House Committee on House Administration.

The committee amendment authorizes the select committee to appoint staff, or consultants, and to utilize the services of staff of those committees of the House from which Members have been selected for membership on the Select Committee.

The select committee is directed to report to the House as soon as practicable during the present Congress, the results of its investigation and study, together with such recomendations as it deems advisable. Any such report made when the House is not in session shall be filed with the Clerk of the House. Any report shall be referred to the committee or committees having jurisdiction over the subject matter thereof. Upon termination of the select committee the records, files, and materials of the panel shall be transferred to the Clerk of the House.

A section-by-section analysis of the provisions of the amendment in the nature of a substitute for House Resolution 421 follow:

SECTION-BY-SECTION ANALYSIS (COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE)

Preamble

The preamble of the resolution sets forth the congressional findings and justifications for establishing the select committee. The preamble cites the congressional finding that—

Strong family relationships are crucial to the health and optimal development of children;

There are approximately sixty-four million children in the United States, and the number of children under age ten may increase by 20 per centum in the next decade;

That decisions of the Federal Government involving education, employment, health and nutrition, law enforcement, or economic policy have a substantial effect upon the well-being of American children and their families; and

A combination of governmental and private sector efforts are necessary to provide services and support for families and children.

Section 1. Establishment

Establishes the Select Committee on Children, Youth, and Families.

Section 2. Functions

Subsection (a) sets forth the functions of the select committee. The select committee would have no legislative jurisdiction but would have the authority—

To conduct a continuing comprehensive study and review of problems of children, youth, and families, including but not limited to income maintenance, health (including medical and child development research), nutrition, education, welfare, employment, and recreation;

To study the use of practicable means and methods of encouraging the development of public and private programs and policies which will assist American children and youth in taking a full part in national life and becoming productive citizens; and

To develop policies that would encourage the coordination of both governmental and private programs designed to address the problems of childhood and adolescence.

Subsection (b) provides that the resolution shall not be construed to limit the legislative and oversight jurisdiction of any standing committees; this is clarifying language which emphasizes the primary responsibility of the standing committees of the House over the subject area to be addressed by the select committee.

Section 3. Appointment and membership

Subsection (a) provides that the select committee would be composed of no more than thirty Members of the House. The select committee would be appointed by the Speaker, as provided by clause 6(e) of rule X of the Rules of the House of Representatives. This subsection also provides that the Speaker shall designate one of the members as chairman.

Subsection (b) provides that for the purposes of appointing members to the select committee, the term "Members" shall include any representative in, or Delegate or Resident Commissioner to, the House of Representatives.

Section 4. Authority and procedures

Subsection (a) provides the customary authority to the select committee to sit, act, and hold hearings. The authority would be granted without regard to whether the House is in session, has adjourned, or has recessed, and without geographic limitation. This language is similar to that which applies to standing committees under clause 2(m)(1)(A) of rule XI of the Rules of the House of Representatives.

Subsection (b) provides that all provisions of clauses 1, 2, and 3 of rule XI of the Rules of the House shall be applicable to the select committee. These provisions relate to rules of procedures for committees, adoption of written rules, committee meetings, committee records, quorum requirements, travel limitations and broadcasting of committee hearings. Clause 2(m) of rule XI grants subpoena power to House committees and would be applicable to the select committee. By making clauses 1, 2, and 3 applicable to the select committee it is not necessary to delineate quorum requirements and subpoena power which would be granted under clause 2(m) of rule XI.

Subsection (c) makes it clear that nothing contained in subsection (a) shall be construed to limit the applicability of clause 2(i) of rule XI of the Rules of the House to the select committee. The select committee would be prohibited from sitting while the House is considering a measure for amendment under the five-minute rule. As is the practice with other standing committees of the House, the select committee may ask for permission by the House to sit during the five-minute rule on a case-by-case basis as necessary.

Section 5. Administratives provisions

Subsection (a) provides authority to the select committee to incur necessary expenses in connection with its duties under this resolution, subject to the adoption of expense resolutions as required by clause 5 of rule XI of the Rules of the House of Representatives. No funds for the activities of the select committee would be available except by a separate vote on a funding resolution reported by the Committee on House Administration.

Subsection (b) authorizes the select committee to appoint, either on a permanent basis or as experts or consultants, such staff as the select

committee considers necessary. The select committee would be authorized to utilize the services of the staffs of those committees of the House from which Members have been selected for membership on the select committee. This provision allows the select committee to hire and terminate staff, prescribe their duties and set the rate of compensation not to exceed the highest rate of basic pay of Level V of the Executive Schedule in section 5316 of title 5, United States Code (currently limited to $57,500.00 per year). It would also allow the Members and staff to be reimbursed for travel expenses outside of the District of Columbia.

Section 6. Reports and records

This section directs the select committee to report to the House as soon as practicable during the present Congress, the results of its investigation and study, together with such recommendations as it deems advisable. The resolution stipulates that any report which is made when the House is not in session shall be filed with the Clerk of the House and any report shall be referred to the committee or committees having jurisdiction over the subject matter thereof. Upon completion of its work, the records, files and materials of the select committee shall be transferred to the Clerk of the House.

COMMITTEE ACTION

On September 16, 1982, the Committee on Rules, which has original jurisdiction over establishment of select committees, held a hearing on House Resolution 421. Testimony in support of the resolution was heard from Representatives Miller of California, Lindy Boggs, Barbara Mikulski, John Rousselot, and Henry Hyde. Testimony in support of the resolution was also submitted for the Record by Representatives Henry Waxman and Ted Weiss.

The Committee on Rules considered the resolution for the purposes of amendment and Representative Shirley Chisholm offered an amendment in the nature of a substitute which was adopted by voice vote. The substitute revises the language of the resolution to conform with the "Guidelines for the Establishment of Select Committees" prepared by the Subcommittee on Rules and Organization of the House in October 1977. The substitute also reduces the number of members which may be appointed to the select committee from thirty-six Members to thirty Members, deletes the reference to the termination date, and deletes the language amending the rules of the House to create the select committee. House Resolution 421 was reported by voice vote, a quorum being present, September 16, 1982.

STATEMENT UNDER CLAUSE 2(L)(3) OF RULE XI OF THE RULES OF THE HOUSE OF REPRESENTATIVES

A. Oversight statement

The committee made no special oversight findings on this resolution.

B. Budget statement

No budget statement is submitted.

C. Estimate of the Congressional Budget Office

No estimate or comparison was received from the Director of the Congressional Budget Office as referred to in subdivision (C) of clause 2(l)(3) of the House rule XI.

D. Oversight findings or recommendations of the Committee on Government Operations

No findings or recommendations of the Committee on Government Operations were received as referred to in subdivision (a) of clause 2(l)(3) of House rule XI.

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